

AGENDA

EXETER TOWN COUNCIL REGULAR MEETING

APRIL 1, 2013
7:00 P.M.

MEETING LOCATION: Town Council Chambers
Exeter Town Hall
675 Ten Rod Road
Exeter, Rhode Island

No. 1: PLEDGE OF ALLEGIANCE: Town Council Member Robert E. Johnson, Jr.

No. 2: CALL TO ORDER/ROLL CALL

No. 3: PUBLIC COMMENT:

Comments are not limited to items on this agenda. However, items not on this agenda will only be heard and not acted upon by the Town Council, unless they are of an emergency nature. (3-minute time limit per item; 15-minute maximum time allowed for this agenda item).

Note: Section 42-46-6 of the Open Meetings Act specifically prohibits the Town Council from considering previously unposted matters during the Public Comment section of the Agenda, except for informational purposes only.

Note: State law prohibits the Town Council from acting or voting upon any such matter, except under emergency circumstances. The Town Council may only, if warranted, refer such matters to an appropriate committee, to another body or official, or post the matter for consideration at a properly-noticed, future meeting.

No. 4: ACKNOWLEDGEMENTS AND ANNOUNCEMENTS:

- A. EXETER-WEST GREENWICH/WEST WARWICK
CO-OP HOCKEY TEAM, DIVISION III CHAMPIONS**
- B. EXETER-WEST GREENWICH REGIONAL SCHOOL DISTRICT,
ALL-DAY REFERENDUM, APRIL 8, 2013, 7:00 A.M. TO 8:00 P.M.,
EXETER TOWN HALL, 675 TEN ROD ROAD, EXETER**

No. 5: APPROVAL OF AGENDA ORDER

**No. 6: CONSENT AGENDA: Consent Agenda Items are accepted in one motion,
unless removed at the request of a Town Council Member.**

- A. REYNOLDS CHARITABLE TRUST: Approval of Vouchers and
Signing of Documents**

B. REPORTS:

- 1. TREASURER'S REPORT/DEPUTY TREASURER'S REPORT:
Maria Lawler/Joseph Gillis**
- 2. TOWN CLERK'S REPORT: Lynn M. Hawkins**
- 3. TAX COLLECTOR'S REPORT: Kimberly A. Robitaille**
- 4. TAX ASSESSOR'S REPORT: Penny B. Robertson**
- 5. DEPARTMENT OF PUBLIC WORKS REPORT:
Director of Public Works, Stephen P. Mattscheck**
- 6. IT REPORT: Director of NK/Exeter IT, Michael Forlingieri**
- 7. TOWN PLANNER'S REPORT: David W. Schweid, AICP**
- 8. DEPARTMENT OF PUBLIC WELFARE: Director of
Public Welfare, Christine Heart Skaggs**
- 9. EMERGENCY MANAGEMENT REPORT: Director of
Emergency Management, E. Stefan Coutoulakis**
- 10. ANIMAL CONTROL REPORT: Director, Stephen P. Mattscheck**
- 11. PROBATE REPORT: Probate Clerk, Lynn M. Hawkins**

- C. COMMUNICATIONS: See Appendix A attached hereto and
incorporated herein.**

D. SCHEDULE OF APRIL MEETINGS AND EVENTS

E. APPROVAL OF MINUTES:

- 1. REGULAR COUNCIL MEETING, MARCH 4, 2013**
- 2. REGULAR COUNCIL MEETING, EXECUTIVE SESSION,
MARCH 4, 2013**
- 3. SPECIAL COUNCIL MEETING, MARCH 11, 2013**

F. KENNEL LICENSE RENEWALS:

1. Class 1 (over 10 dogs)

- a. Robert E. and Marianne Winski
Cozy Paws Pet Resort
495 Nooseneck Hill Road**
- b. Scott and Ruth Gordon
Delmyra Kennels
191 Ten Rod Road**
- c. John Mann
Mann's Best Friend
76 Levitt Lane**
- d. Marietta Kahla
454 Ten Rod Road**
- e. Ruth Colwill
174 Hallville Road**
- f. Kathleen and Donald Perkins
2572 Ten Rod Road**

2. Class 2 (four to ten dogs)

- a. John J. Hood
9 Skunk Hill Road**
- b. Richard D. Walker
115 Hallville Road**
- c. Nancy E. Kohler
287 Yawgoo Valley Road**
- d. Walter & Joanne Monroe
160 School Land Woods Road**
- e. Freida Spitz
639A South County Trail**
- f. Gary E. Donnelly
224 South Road**
- g. Susan Newell
23 New Road**

No. 7: VACANCIES AND APPOINTMENTS:

A. VACANCIES:

- 1. Personnel Board Members:**
Five members needed to replace prior board.
- 2. Conservation Commission (Inactive)**
- 3. Economic Development Commission (Inactive)**
- 4. Municipal Finance Committee Member**
- 5. Vision for Exeter Project Members**

B. RESIGNATIONS

C. APPOINTMENTS:

- 1. JUVENILE HEARING BOARD MEMBER:**
(term expiring March, 2013)

D. EXPIRING TERMS

No. 8: PUBLIC HEARING:

- A. APPLICATION FOR PUBLIC ENTERTAINMENT LICENSE:**
PENDAR REALTY LLC, APPLICANT; OAK HARBOR VILLAGE
CAR SHOWS; 567 SOUTH COUNTY TRAIL, SUITE 111,
EXETER, RHODE ISLAND; PLAT71/BLOCK 4/LOT 1.
- B. FY 2013 COMMUNITY DEVELOPMENT BLOCK GRANT**
("CDBG ") APPLICATION

No. 9: NEW BUSINESS:

- A. PERSONNEL ISSUES/LABOR NEGOTIATIONS**
- B. DEPARTMENT OF PUBLIC WORKS: REQUEST FOR**
UTILITY CURB CUT PERMIT
- C. VICTUALING LICENSE APPLICATION: MICHELLE FABRICANT,**
APPLICANT; KIKI'S ICE CREAM, 567 SOUTH COUNTY TRAIL,
EXETER, RHODE ISLAND; PLAT 71/BLOCK4/LOT 1
- D. VICTUALING LICENSE APPLICATION: MARIOS M. KIRIOS and**
MICHAEL P. KIRIOS, APPLICANTS; MIDDLE OF NOWHERE DINER,
222 NOOSENECK HILL ROAD, EXETER, RHODE ISLAND; PLAT
20/BLOCK 5/ LOT 13

- E. HAWKER'S LICENSE APPLICATION: WALTER A. LINTON, APPLICANT; WALT'S HOT DOGS, 483 TRIPPS CORNER ROAD, EXETER, RHODE ISLAND; PLAT 35/BLOCK 20/LOT 1**
- F. HAWKER'S LICENSE APPLICATION: WARREN PHILIPPI, APPLICANT; WARREN'S BARGAINS GALORE; 171 NOOSENECK HILL ROAD, EXETER, RHODE ISLAND; PLAT 20/BLOCK 3/LOT 24.**
- G. HAWKER'S LICENSE APPLICATION: JOHN P. McGARRY, JR., APPLICANT; JOHN P. McGARRY dba JACK'S ICE CREAM; 110 WINSOR AVENUE, NORTH KINGSTOWN, RHODE ISLAND**
- H. CONSIDERATION OF RESOLUTION IN SUPPORT OF A REFERENDUM RELATING TO THE CODE OF ETHICS**
- I. INTRODUCTION AND CONSIDERATION OF RESOLUTION IN SUPPORT OF AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS**
- J. INTRODUCTION AND CONSIDERATION OF RESOLUTION REGARDING THE STREETLIGHTS REFORM PROGRAM OF THE WASHINGTON COUNTY REGIONAL PLANNING COUNCIL (WCRPC)**
- K. INTRODUCTION AND CONSIDERATION OF RESOLUTION REGARDING MUTUAL AID AGREEMENT WITH TOWN OF WEST GREENWICH**

No. 10: UNFINISHED BUSINESS:

- A. HISTORIC PRESERVATION/HISTORIC CEMETERIES**
- B. DEERBROOK RECLAMATION**
- C. TRANSFER STATION LEASE**
- D. INDUSTRIAL DRIVE UPDATE**
- E. ADOPTION OF EMERGENCY OPERATION PLAN**
- F. STATE POLICE COVERAGE**
- G. ANIMAL SHELTER: POLICY CHANGES**
- H. LEGISLATIVE INITIATIVES**

I. CONCEALED WEAPON PERMITTING

**J. DEPARTMENT OF PUBLIC WORKS: REQUEST FOR
RELEASE TO HIRE PART-TIME DRIVERS**

No. 11: REPORTS OF OFFICERS, BOARDS, COMMITTEES:

- A. PUBLIC SAFETY/DISASTER PREPAREDNESS COMMITTEE/
TOWN SERGEANT/TOWN CONSTABLE LIAISON'S REPORT:**
Town Council Member, Robert E. Johnson, Jr.
- B. TAX ASSESSOR'S OFFICE LIAISON'S REPORT:**
Town Council Member, Calvin A. Ellis
- C. PUBLIC WORKS DEPARTMENT LIAISON'S REPORT:**
Town Council Vice President, William P. Monahan
- D. TRANSFER STATION LIAISON'S REPORT:**
Town Council Vice President, William P. Monahan
- E. ANIMAL CONTROL LIAISON'S REPORT:**
Town Council Member, Raymond A. Morrissey, Jr.
- F. EXETER JOB CORPS ACADEMY LIAISON'S REPORT:**
Town Council Member, Calvin A. Ellis
- G. EXETER-WEST GREENWICH SCHOOL DISTRICT LIAISON'S
REPORT:** Town Council President, Arlene B. Hicks
- H. EXETER PUBLIC LIBRARY LIAISON'S REPORT:**
Town Council President, Arlene B. Hicks
- I. TAX COLLECTOR'S OFFICE LIAISON'S REPORT:**
Town Council President, Arlene B. Hicks
- J. WASHINGTON COUNTY REGIONAL PLANNING COUNCIL
REPRESENTATIVE'S REPORT:** Town Council Member, Calvin A. Ellis
- K. TOWN COUNCIL ASSISTANT'S REPORT:**
Town Council Assistant, Kenneth G. Findlay
- L. SOLICITOR'S REPORT:** James P. Marusak, Esquire,
Gidley Sarli & Marusak

No. 12: BILLS, APPROPRIATIONS, ABATEMENTS:

A. BILL SHEET

B. TAX ASSESSOR'S ABATEMENTS

C. TAX COLLECTOR'S REMITTANCES AND ABATEMENTS

No. 13: OTHER ADMINISTRATIVE ISSUES

No. 14: COMMUNICATIONS

No. 15: EXECUTIVE SESSION:

A. CURRENT LITIGATION

B. LADD CENTER/JOB CORPS

C. LABOR UNION/CONTRACT NEGOTIATIONS/ARBITRATION

D. PERSONNEL ISSUES/LABOR RELATIONS

E. RICO CORP/DEERBROOK DEVELOPMENT CORPORATION

**F. SCHATNER FARMS/BALD HILL NURSERY PURCHASE &
SALE AGREEMENT**

G. TRANSFER STATION LEASE

H. PUBLIC SAFETY ISSUE

No. 16: ADJOURNMENT

**POSTED MARCH 27, 2013, AT EXETER TOWN HALL, EXETER PUBLIC LIBRARY,
EXETER POST OFFICE, SLOCUM POST OFFICE, AND SECRETARY
OF STATE'S WEBSITE**

The public is welcome to attend any meeting or work session of the Town Council or its committees, boards, or commissions, with the exception of the Juvenile Hearing Board. If communications assistance or any other accommodation is required to ensure equal participation, please contact the Town Clerk's Office the business day prior to the meeting between normal business hours, 9:00 a.m. to 4:00 p.m., at (401) 295-7500 or clerk@town.exeter.ri.us. The Exeter Town Hall is handicapped accessible.

APPENDIX A

C. COMMUNICATIONS:

- 1. 02/28/2013 Invitation to rescheduled meeting of Exeter Lions Club, March 18, 2013, Celestial Café, 6:30 pm**
- 2. 03/01/2013 Resolution from Charlestown Town Council regarding gun violence**
- 3. 03/01/2013 Resolution from Charlestown Town Council regarding elimination of master lever voting**
- 4. 03/01/2013 Resolution from Town of Charlestown supporting Washington County Regional Planning Council's Streetlight Reform Program**
- 5. 03/05/2013 Letter from Rhode Island Department of Transportation regarding intersection of Routes 2 & Route 102 in North Kingstown**
- 6. 03/05/2013 Letter from Justice William P. Robinson III announcing that the Rhode Island Supreme Court will convene at the Exeter-West Greenwich Senior High School on April 4, 2013**
- 7. 03/05/2013 Letter from Rhode Island Department of Environmental Management requesting Project Priority List for Fiscal Year 2014**
- 8. 03/05/2013 Invitation to march in the City of Newport's 57th Annual St. Patrick's Day Parade, March 16, 2013**
- 9. 03/05/2013 Request of Grow Smart RI for support of re-establishment of a state historic tax credit**
- 10. 03/11/2013 Response from Rhode Island Division of Planning regarding Exeter's objections to the Town of North Kingstown's recent Rural Gateway Comprehensive Plan Amendment for Routes 2 and 102**
- 11. 03/11/2013 Resolutions from Exeter-West Greenwich Regional School Committee regarding layoff notification date, binding arbitration, and contract continuation**

12. **03/11/2013** **Email from City of Providence delaying press conference scheduled for March 11, 2013, regarding statewide gun buyback program**
13. **03/11/2013** **Letter sent to Speaker of the House of Representatives, Gordon D. Fox, regarding affordable housing**
14. **03/11/2013** **Notice of public hearing to consider adoption of proposed South Kingstown Comprehensive Community Plan**
15. **03/12/2013** **Letter from Angel Taveras, Mayor of Providence, regarding March 1, 2013, meeting with Rhode Island municipal leaders on illegal firearms and public safety**
16. **03/12/2013** **Notice of Exeter Fire District Board of Commissioners Meeting, March 14, 2013**
17. **03/13/2013** **Exeter-West Greenwich School District has secured training series of the National Domestic Preparedness Coalition for school safety and first responders**
18. **03/13/2013** **Resolution from Westerly Town Council opposing Mandatory Binding Arbitration on Monetary Matters for Teachers**
19. **03/14/2013** **Request of Sabrina Parkinson for extension on the March 1st application deadline for low income tax exemption**
20. **03/14/2013** **Letter from Martha McAdam regarding trash on South Road**
21. **03/15/2013** **Exeter Fire District Annual Meeting , April 10, 2013, 7:00 p.m., Exeter-West Greenwich Regional Junior/ Senior High School**
22. **03/15/2013** **Letter from Landmark Dividend regarding cellular leasing**
23. **3/15/2013** **Letter from the Rhode Island General Assembly Regarding Low and Moderate Income Housing Act**

- 24. 3/15/2013 Resolutions from Lincoln School Committee regarding contract continuations, layoff notification date, and binding arbitration**
- 25. 3/15/2013 Resolution from City of Newport asking for an amendment to the Open Meetings Law to allow members to participate in meetings via video conferencing**
- 26. 3/15/2013 Letter from United States Department of Labor regarding temporary suspension of enrollment at Job Corps**
- 27. 3/18/2013 Email from Rhode Island League of Cities & Towns announcing upcoming meeting, Rhode Island Education Funding Formula, March 27, 2013, 9:00 am to 11:00 am, Pappito Conference Room, University Center, Bryant University, Smithfield**
- 28. 3/18/2013 Authorization for Game of Chance from the Rhode Island State Police to the Warwick Sportsman Association, April 7, 2013**
- 29. 3/18/2013 Letter from SBA Communications Corp regarding name change to TowerCo Assets, LLC, SBA Site ID: #RI47734-A - Telecommunications Tower**
- 30. 3/18/2013 Approval from RIDEM, 2013 Tree Warden Appointment, Stephen P. Mattscheck**
- 31. 3/20/2013 Letter of interest from William G. Donovan regarding Special Constable position**
- 32. 3/20/2013 Resolution from Middletown Town Council regarding binding arbitration on monetary matters for school teachers**
- 33. 3/20/2013 Email from the Rhode Island League of Cities & Towns with sample Resolution Opposing Binding Arbitration**
- 34. 3/21/2013 Letter of interest from Christopher Cabral regarding Special Constable position**
- 35. 3/21/2013 Letter of interest from Thomas S. Allen regarding Special Constable position**

- 36. 3/21/2013 Exeter-West Greenwich School District, Public Hearing, March 25, 2013, 7:00 p.m., Exeter-West Greenwich Junior/Senior High School Auditorium**
- 37. 3/21/2013 Roger Williams University & Community Partnerships Center is seeking new projects that benefit communities in Southeastern New England, application deadline April 22, 2013**
- 38. 3/22/2013 Letter from Raymond Xavier regarding penalty on late tax payment**
- 39. 3/26/2013 Invoice from SBA Communications Corp**
- 40. 3/26/2013 Letter from West Greenwich Town Administrator, Kevin A. Breene, requesting commitment regarding hiring of a Resource Officer for the School District**
- 41. 3/26/2013 Resolution from Town of Foster regarding Opposing Binding Arbitration**
- 42. 3/26/2013 Letter from Daniel W. Patterson regarding recent Council meetings**
- 43. 3/26/2013 Email from Rhode Island Firearm Owners' League regarding concealed carry weapon permitting**
- 44. 3/26/2013 Letter of interest from Richard D. Marsella regarding Special Constable position**
- 45. 3/27/2013 2012 Annual Report from The Trust**
- 46. 3/27/2013 Letter from Rodney Santos with attachments regarding concealed carry weapon permitting**
- 47. 3/27/2013 Notice regarding Exeter-West Greenwich School Budget Vote with sample ballot**